

(R-88-675)

RESOLUTION NUMBER R- 269594

ADOPTED ON OCT 19 1987

WHEREAS, Section 8330, et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of streets by City Council resolution where the portion of street to be vacated is excess right-of-way of a street or highway not required for street or highway purposes; and

WHEREAS, in connection with said vacation, the City desires to reserve certain easements; and

WHEREAS, the abutting property owners have requested the vacation of a portion of Broadway Circle south of Broadway and adjacent to Parcel 1 of Parcel Map 13369, to facilitate development of their property; and

WHEREAS, the portion of street to be vacated is not needed for present or prospective public street purposes; and

WHEREAS, those properties adjoining the street to be vacated will continue to have access; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation is not inconsistent with the General Plan or an approved Community Plan; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That a portion of Broadway Circle south of Broadway, adjacent to Parcel 1 of Parcel Map 13369, as more particularly

shown on Drawing No. 16672-B, on file in the office of the City Clerk as Document No. RR-~~269504~~¹, which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

2. That The City of San Diego hereby reserves and excepts the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature, including, but not limited to, general utilities and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along, and across the hereinafter-described easement, together with the right of ingress thereto and egress therefrom, together with the right to maintain the said easement free and clear of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon, or the drilling or digging of any well or wells thereon, together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. Upon acquisition of encroachment permit from the City Engineer pursuant to the Municipal Code of the City, the owners of the underlying fee may utilize the above-described parcel of land for structures, the planting or growing of trees, or the installation of privately owned pipelines.


3. That The City of San Diego hereby reserves and excepts the right, from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to

construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and distribution of electrical or electronic energy and natural gas, and for incidental purposes including access to protect the property from all hazards in, upon, over, and across the above-described portions of streets to be vacated and abandoned.

4. That the easement reserved herein is in, under, over, upon, along, and across that portion of Broadway Circle vacated by this document and that the easement is more particularly shown on Drawing No. 16672-B on file in the office of the City Clerk as Document No. RR- 269504-1

5. That the City Clerk shall then cause a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By 
John K. Riess
Deputy City Attorney

JKR:wk:221.1
10/01/87
Or.Dept:E&D
SA:86-510
WO:75004
Dwg:16672-B
R-88-675
Form=r.sumv3

HORTON'S ADDITION TO SAN DIEGO MAP NO. 369 POR. BLK. 40

PARCEL J P.M. 13369

P.O.B. - N'ELY CORNER OF PARCEL I, P.M. NO. 13369

T.F.O.B. N89°49'43" W (R)

R = 70.00' Δ = 37°42'48" L = 46.08'

N0°10'17" W 300.1'

N0°07'49" W 39.93'

29.93'

29.93'

N0°10'17" W 27.13'

N52°06'55" E (R)

N89°52'40" E 14.65'

BROADWAY CIRCLE (FORMERLY SECOND AVENUE)

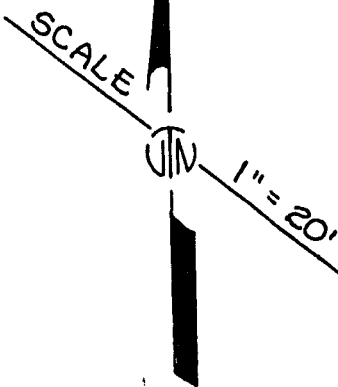
BROADWAY CIRCLE (FORMERLY "E" STREET)

HORTON'S ADDITION TO SAN DIEGO PORTION OF BLOCK 41

E

F

40'



TABULATED DATA

| NO. | DIST. | BEARING |
|-----|-------|-------------|
| T1 | 5.00 | N89°52'40"E |
| T2 | 10.00 | N0°07'49"W |
| T3 | 20.03 | N0°10'17"W |

LEGEND

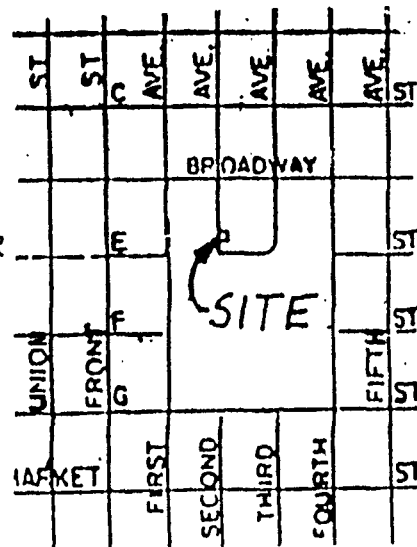
- INDICATES PORTION OF BROADWAY CIRCLE RESERVED FOR GENERAL UTILITY EASEMENT
- INDICATES PORTION OF BROADWAY CIRCLE VACATED (0.014)
- DEDICATED PER MAP OF HORTON'S ADDITION

REFERENCE DRAWINGS

PARCEL MAP NO. 13369

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS A PORTION OF THE EASTERLY LINE OF PARCEL I OF PARCEL MAP NO. 13369 TO THE POINT OF BEGINNING N0°10'17"W.



VICINITY MAP

NO SCALE

ENGINEER OF WORK:

Reginald Dale Harvey, Jr.

REGINALD DALE HARVEY, JR. L.S. 5292

VTN SAN DIEGO DATE 7-27-87

4845 RONSON COURT (L.S. EXPIRES

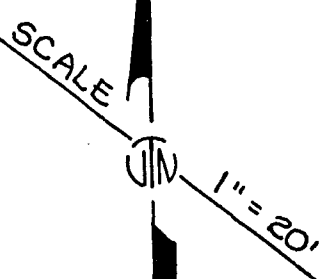
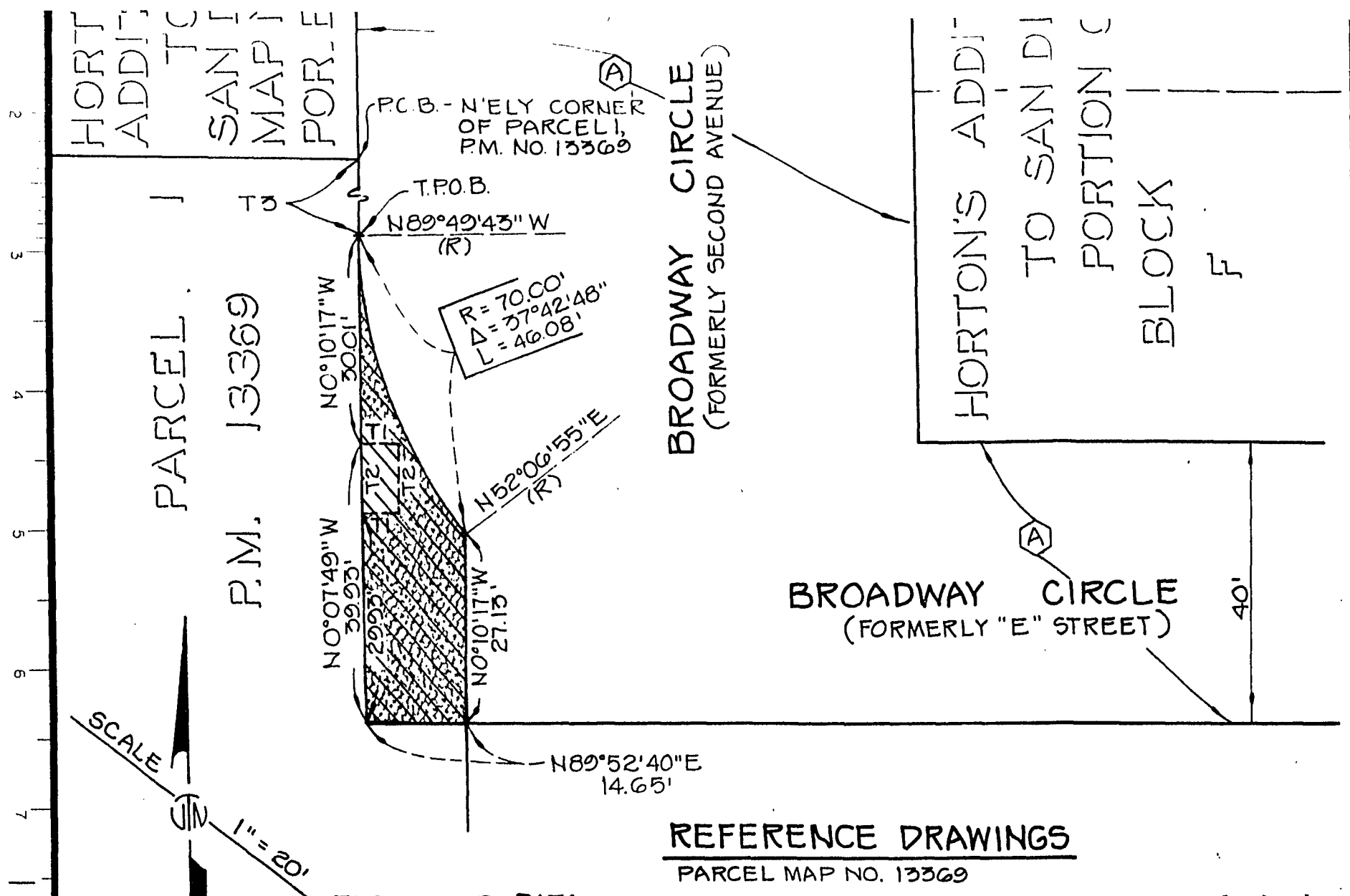
SAN DIEGO, CALIFORNIA 12-31-87)

PHONE: (619) 292-1040

STREET VACATION-OF PORTION OF BROADWAY CIRCLE AND GENERAL UTILITY EASEMENT RESERVATION - ADJACENT TO P.M. NO. 13369

| DESCRIPTION | BY | APPROVED | DATE | FILMED |
|-------------|----|----------|------|--------|
| ORIGINAL | | | | |
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|---|----------------|--|
| CITY OF SAN DIEGO, CALIFORNIA | | W.O. NO. 120236 |
| SHEET 1 OF 1 SHEETS | | 5AB6-510 |
| <i>Reginald D. Harvey, Jr.</i> CITY ENGINEER | 8-4-87 DATE | <i>Repl. C. Adams</i> CONTROL CERTIFICATION |
| | | 200-1719 LAMBERT COORDINATES |
| | | 16672 - B |



TABULATED DATA

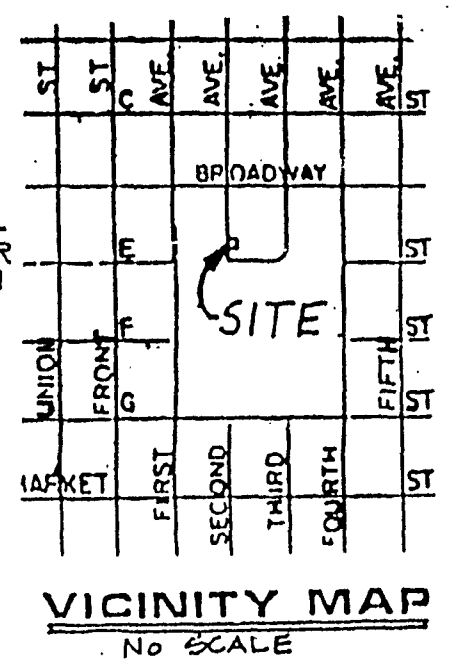
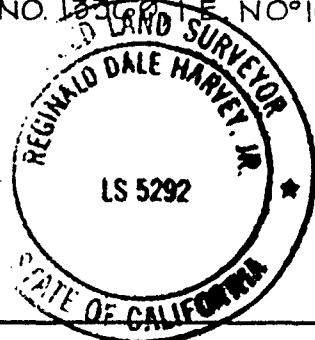
| NO. | DIST. | BEARING |
|-----|-------|-------------|
| T1 | 5.00 | N89°52'40"E |
| T2 | 10.00 | N0°07'49"W |
| T3 | 20.03 | N0°10'17"W |

LEGEND

- INDICATES PORTION OF BROADWAY CIRCLE RESERVED FOR GENERAL UTILITY EASEMENT
- INDICATES PORTION OF BROADWAY CIRCLE VACATED (0.014)
- DEDICATED PER MAP OF HORTON'S ADDITION

REFERENCE DRAWINGS
PARCEL MAP NO. 13369

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS DRAWING IS A PORTION OF THE EASTERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 13369 TO THE N0°10'17"W.



ENGINEER OF WORK:
Reginald Dale Harvey, Jr.
REGINALD DALE HARVEY, JR. L.S. 5292
VTN SAN DIEGO DATE 7-27-87
4845 RONSON COURT (L.S. EXPIRES
SAN DIEGO, CALIFORNIA 12-31-87)
PHONE: (619) 292-1040

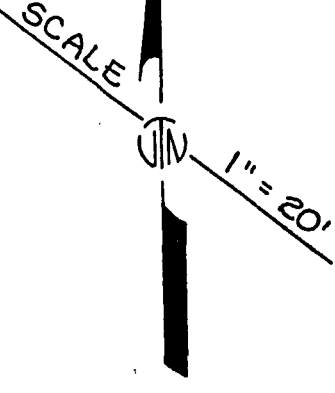
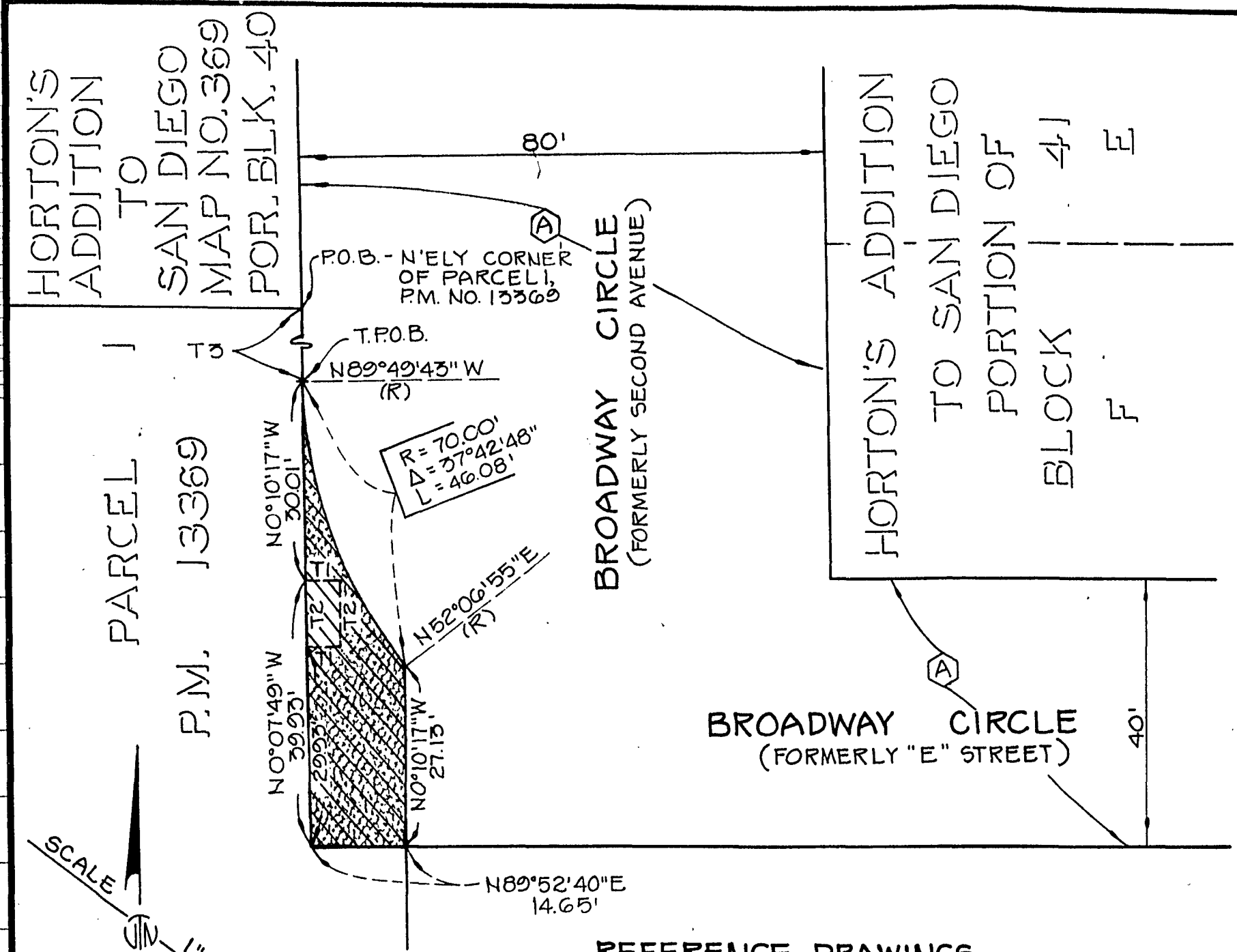
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| DESCRIPTION | BY | APPROVED | DATE | FILMED |
|-------------|----|----------|------|--------|
| ORIGINAL | | | | |
| | | | | |
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|--------------------------------------|---------------|------|--|
| CITY OF SAN DIEGO, CALIFORNIA | | | W.O. NO. <u>120236</u> |
| SHEET 1 OF 1 SHEETS | | | <u>5A86-510</u> |
| <i>R. J. M. ...</i> CITY ENGINEER | <u>8-4-87</u> | DATE | <i>Ralph C. ...</i> CONTROL CERTIFICATION |
| | | | <u>200-1719</u> LAMBERT COORDINATES |
| STATUS | | | <u>16672 - B</u> |

00319

J.N. 3762-18
DOCUMENT NO. 269504-1
FILED OCT 19 1987
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA



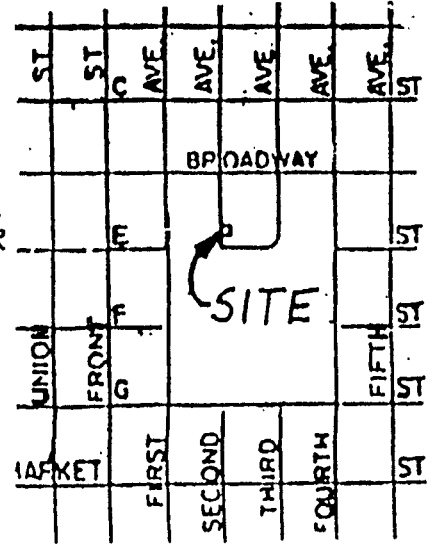
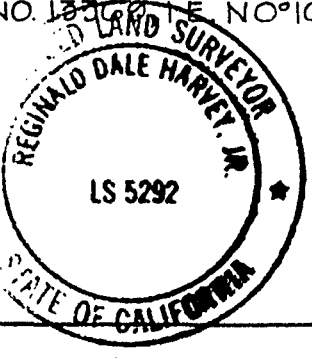
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REFERENCE DRAWINGS
 PARCEL MAP NO. 13369

BASIS OF BEARINGS
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VICINITY MAP
 No SCALE

ENGINEER OF WORK:

 REGINALD DALE HARVEY, JR. L.S. 5292
 VTN SAN DIEGO DATE 7-27-87
 4845 RONSON COURT (L.S. EXPIRES 12-31-87)
 SAN DIEGO, CALIFORNIA
 PHONE: (619) 292-1040

STREET VACATION-OF PORTION OF BROADWAY CIRCLE AND GENERAL UTILITY EASEMENT RESERVATION - ADJACENT TO P.M. NO. 13369

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA | W.O. NO. |
|-------------|----|----------|------|--------|-------------------------------|-----------------------|
| ORIGINAL | | | | | SHEET 1 OF 1 SHEETS | 120236 |
| | | | | | FOR CITY ENGINEER | 5A86-510 |
| | | | | | | CONTROL CERTIFICATION |
| | | | | | | 200-1719 |
| | | | | | | LAMBERT COORDINATES |
| | | | | | | 16672 - B |

OCT 19 1987

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|---------------------------------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bill Cleator | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Gloria McColl | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| District 4 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> VACANT |
| Ed Struikma | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Celia Ballesteros | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Ina Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *h-269504* Adopted OCT 19 1987

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CITY OF SAN DIEGO
DEPT. OF PUBLIC WORKS
SAN DIEGO, CALIF.

00321